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March 27, 1990

US EPA RECORDS CENTER REGION 5



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U. S. Environmental Protection
Agency, Region V
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VIA TELECOPIER &
CERTIFIED MAIL, RETURN
RECEIPT REQUESTED

Re: Albion-Sheridan Township Landfill, Albion, Michigan
Proposed Administrative Order
Docket No. V-W '90-C 0951: Request for Conference
and Freedom of Information Act Request

Dear Ms. Henning:

This office represents Eagle-Picher Industries, Inc. ("Eagle-Picher") with regard to the above proposed unilateral Administrative Order. Without prejudicing any defenses that Eagle-Picher may have in this matter, Eagle-Picher hereby requests a conference with U.S. EPA to discuss this matter further. I have tried calling you to request this meeting but have been unable to reach you. Please call me at your earliest convenience to discuss the scheduling of the meeting.


As you may be aware from a review of the file, Eagle-Picher requested copies of any and all information in the possession of U.S. EPA that formed the basis for U.S. EPA identifying Eagle-Picher as a Potentially Responsible Party at this Site. U.S. EPA denied that Request for Information, claiming that it was confidential. While Eagle-Picher requested reconsideration of this denial, U.S. EPA has never responded. Eagle-Picher hereby renews its request for information pursuant to the Freedom of Information Act. Eagle-Picher sold its former United Steel Division in 1982, and therefore does not possess or control

Ms. Beth Henning
Assistant Regional Counsel
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any documents that relate to this matter, assuming any such documents exist. Moreover, it does not have ready access to former employees who may possess information. In light of U.S. EPA's recent act with regard to this Site, it is absolutely essential that U.S. EPA provide Eagle-Picher with the information it has in its possession which forms the basis for identifying Eagle-Picher as a Respondent to this Order. Because of the extraordinarily short time frames which U.S. EPA is imposing in this proposed Order, I request that you send me this information by overnight mail, or by telecopy. Your prompt response would be greatly appreciated.

I look forward to hearing from you.

Very truly yours,


Eugene E. Smary

pdv

cc: Eagle-Picher Industries, Inc.